

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TRACY EUGENE CONARD,

Defendant.

CR 20–22–M–DLC

ORDER

Before the Court is the United States’ Unopposed Motion for Preliminary Order of Forfeiture. (Doc. 41.) Mr. Conard does not object to the issuance of a preliminary order of forfeiture. (*Id.*) Defendant Tracy Eugene Conard has been adjudged guilty of one count of possession with the intent to distribute controlled substances, in violation of 21 U.S.C. § 841(a)(1). (Doc. 40 at 2.) Mr. Conard has also admitted to the forfeiture allegation contained within the Indictment, which seeks, among other things, any firearms or ammunition used in commission of the offense. (Docs. 1 at 3; 39 at 1.) As such, there is sufficient factual basis and cause to support the issuance of a preliminary order of forfeiture pursuant to 21 U.S.C. §§ 853(a)(1), (2), and 811(a)(11) and 18 U.S.C. § 924(d).

Accordingly, IT IS ORDERED that the United States’ motion (Doc. 41) is GRANTED.

IT IS FURTHER ORDERED that Mr. Conard's interest in the following property is forfeited to the United States in accordance with 21 U.S.C. §§ 853(a)(1) and (2), and 811(a)(11) and 18 U.S.C. § 924(d):

- Ruger Security-9 Pistol, Cal. 9, SN 381-50820;
- Llama (Gabilondo & CIA) Unknown Pistol, Cal. 9, SN B53043;
- Glock GMBH 21 Pistol, Cal. 45, SN KDG883;
- Savage A17 Rifle, Cal. 17, SN K492919;
- Ruger 10/22 Rifle, Cal. 22, SN 243-23325;
- Savage 22/410 Shotgun, Cal. unknown, SN unknown; and
- Mossberg MVP Rifle, Cal. 556, SN MVP059356.

IT IS FURTHER ORDERED that the United States Marshal's Service, the Bureau Alcohol, Tobacco, Firearms & Explosives, and/or a designated sub-custodian, are directed to seize the property subject to forfeiture and to make a return as provided by law.

IT IS FURTHER ORDERED that the United States shall provide written notice to all third parties asserting a legal interest in any of the above-described property and will post on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, of the Court's Preliminary Order and the United States' intent to dispose

of the property in such manner as the Attorney General may direct, pursuant to 21 U.S.C. § 853(n)(1) and 21 U.S.C. §§ 853(a)(1) and (2), and 811(a)(11) and 18 U.S.C. § 924(d), and to make its return to this Court that such action has been completed.

IT IS FURTHER ORDERED that upon adjudication of all third-party interests, if any, the Court will enter a final order of forfeiture.

DATED this 28th day of December, 2020.



Dana L. Christensen, District Judge
United States District Court